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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 10502/LA4A/80. *Dated, Trivandrum 13th December* 1980.

The Kanam Tenancy Abolition (Amendment) Bill, 1980 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

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33/4861/MC

Sixth Kerala Legislative Assembly

Bill No. 61

THE KANAM TENANCY ABOLITION (AMENDMENT) BILL, 1980

A

BILL

further to amend the Kanam Tenancy Abolition Act, 1976.

Preamble.—WHEREAS it is expedient further to amend the Kanam Tenancy Abolition Act, 1976, for the purpose hereinafter appearing;

BE it enacted in the Thirty-first Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kanam Tenancy Abolition (Amendment) Act, 1980.

(2) It shall be deemed to have come into force on the 1st day of January, 1970.

2. *Amendment of section* 15.—In section 15 of the Kanam Tenancy Abolition Act, 1976 (16 of 1976) (hereinafter referred to as the principal Act), in sub-section (2), for the figures "1979", the figures "1980" shall be substituted.

3. *Repeal and saving.*—(1) The Kanam Tenancy Abolition (Amendment) Ordinance, 1980 (11 of 1980), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

According to sub-section (2) of section 15 of the Kanam Tenancy Abolition Act, 1976 as amended by the Kanam Tenancy Abolition (Amendment) Act, 1979, all arrears of jenmikaram which accrued due from any kanam tenant immediately before and was outstanding on the 1st January, 1970 shall be deemed to be fully discharged if such kanam tenant pays on or before the 31st day of December, 1979 an amount equal to the arrears of Jenmikaram for the one year immediately preceding the appointed day (1-1-1970) or the actual arrears of jenmikaram outstanding on that day, whichever is less.

2. Government have received representations from a large number of kanam tenants who have not taken advantage of the above provision by paying the arrears before 31-12-1979, that suits and execution proceedings were pending against them for payment of arrears of Jenmikaram in various courts in the State and that in certain cases the properties had been proclaimed for court sale. It was considered necessary to give relief to such kanam tenants by extending the time prescribed in sub-section (2) of section 16 of the Kanam Tenancy Abolition Act, 1976, for payment of one year's rent, upto 31st December, 1980.

3. Since the Legislative Assembly was not in Session and the proposal had to be given effect to immediately, the Kanam Tenancy Abolition (Amendment) Ordinance, 1980, was promulgated by the Governor on the 20th day of November, 1980 and published as Ordinance No. 11 of 1980. The Bill seeks to replace the Ordinance by an Act of the Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

P. S. SREENIVASAN